COZEN O'CONNOR MICHAEL J. SOMMI, ESQ. (MS-7910) 45 Broadway Atrium, 16th Floor New York, NY 10006 (212) 509-9400

Attorneys for Plaintiffs, Federal Insurance Company, et al.

STEPHEN A. COZEN, ESQUIRE ELLIOTT R. FELDMAN, ESQUIRE SEAN P. CARTER, ESQUIRE JOHN M. POPILOCK, ESQUIRE LISA C. HAAS, ESQUIRE J. SCOTT TARBUTTON, ESQUIRE COZEN O'CONNOR 1900 Market Street Philadelphia, PA 19103 (215) 665-2000

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

In Re Terrorist Attack on September 11, 2001

Civil Action No. 03 MD 1570 (RCC)

This document relates to:

Civil Action No. 03 CV 6978 (RCC)

Federal Insurance Company, et. al.

Waiver Of Service Of Process

al Qaida, et al.

To: Lisa C. Haas, Esquire Cozen O'Connor 1900 Market Street Philadelphia, PA 19103

I acknowledge receipt of your request that I waive service of summons in the action of Federal Insurance Co., et al. v. Al Qaida, et al., which is case number 03 CV 6978 in the United States District Court for the Southern District of New York. I have also received two copies of

the complaint in the action, two copies of this instrument, and a means by which I can return the signed waiver to you without cost to me.

I agree to save the cost of service of a summons and an additional copy of the Complaint in this lawsuit by not requiring that I (or the party on whose behalf I am acting) be served with judicial process in the manner provided by F.R.C.P. Rule 4.

I (or the party on whose behalf I am acting) will retain all defenses or objections to the lawsuit or the jurisdiction or venue of the court except for objections based on a defect in the summons or in the service of the summons.

I understand that a judgment may be entered against me (or the party on whose behalf I am acting) if an answer or motion under Rule 12 is not served upon you within 60 days after March 10, 2004, or within 90 days after that date if the request was sent outside the United States. [Waiver requested by letter sent 3/19/04] correct response date is 6/17/04] LRC

Genil 3_2004

Signature

Printed/Typed Name

Duty to Avoid Unnecessary Cost of Service of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the summons and complaint. A defendant located in the United States who, after being notified of an action and asked by a plaintiff located in the United States to waive service of summons, fails to do so will be required to bear the costs of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waiver service that a party believes that the complaint is unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the summons retains all defenses and objections (except any relating to the summons or the service of the summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

A defendant who waives service must within the time specified on the waiver form serve on the plaintiff's attorney (or unrepresented plaintiff) a response to the complaint and must also file a signed copy of the response with the court. If the answer or motion is not served within this time, a default judgment may be taken against the defendant. By waiving service, a defendant is allowed more time to answer than if the summons had been actually served when the request for waiver of service was received.

PHILA1\2035456\1 117430.000

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Date	Signature Printed/typed name:
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Printed/typed name: 1 Unna M. Sheinbach

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Printed/typed name: Johna M. Sheinbach

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I acknowledge receipt of your request that I waive service of summons in the action of <u>Federal Insurance Company</u>, et al. v. al Qaida, et al., which is case number 1:03CV6978 in the United States District Court for the Southern District of New York. I have also received a copy of the complaint in the action, two copies of this instrument, and a means by which I can return the signed wavier to you without cost to me.

I agree to save the cost of service of a summons and an additional copy of the complaint in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4.

I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect in the summons or in the service of summons.

I understand that a judgment may be entered against me (or the party on whose behalf I am acting) if an answer or motion under Rule 12 is not served upon you within 60 days after March 25, 2004, or within 90 days after that date if the request was sent outside the United States.

Signature

Printed/typed name: _

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Duty to Avoid Unnecessary Costs of Service of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the summons and complaint. A defendant located in the United States who, after being notified of an action and asked by a plaintiff located in the United States to waive service of a summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

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<u>4/13/04</u>

Signature 🗸

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Date
Signature
Printed/typed name: Nona M. Sha

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Case 1:03-md-01570-GBD-SN Document 132 Filed 05/10/04 Page 23 of 24

State of Wisconsin Adams County Sheriff's Dept Civil Division Friendship, WI 53934

Process Number:

2823

Court Number: 03CV6978

I, Roberta E Sindelar, Sheriff of Adams County Sheriff's Dept do hereby certify that I received the within and foregoing Summons & Complaint on 31st day of March, 2004, and that I served the same on:

BENEVOLENCE

(Defendant

2561 Cth G FCI-Oxford

Oxford, WI 53952

Served on: 1st day of April, 2004 at 09:34:00

by Kroetz, Mike

Served to: Enaam M Arnaout

Returned on the 5th day of April, 2004

2561 Cth G FCI-Oxford Oxford, WI 53952

I also certify that I endorsed on the said copy the date of service, signed my name, and added my official title thereto.

Dated the 5th day of April, 2004

Fees:

0.00 Service: Mileage: 12.75 Other 37.60 Total 50.35 Roberta E Sindelar, Sheriff

Adams County Sheriff's Dept, Wisconsin

Authorized Representative

Civil Division

Case 1:03-md-01570-GBD-SN Document 132 Filed 05/10/04 Page 24 of 24

State of Wisconsin
Adams County Sheriff's Dept
Civil Division
Friendship, WI 53934

Process Number: 2823 Court Number: 03CV6978

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ENAAM M ARNAOUT (Defendant)

2561 Cth H FCI-Oxford INSIDE

Oxford, WI 53952

Served on: 1st day of April, 2004 at 09:34:00 by Kroetz, Mike

Served to: Enaam Arnout

2561 Cth H FCI-Oxford INSIDE

Oxford, WI 53952

Returned on the 5th day of April, 2004

I also certify that I endorsed on the said copy the date of service, signed my name, and added my official title thereto.

Dated the 5th day of April, 2004

Fees:

Authorized Representative

Civil Division